

June 18, 2020

40E-10.021 Definitions.

(1) - (6) No Change.

(7) Everglades Agricultural Area (EAA) Reservoir – A reservoir located in Palm Beach County, Florida, south of the City of South Bay between the Miami and North New River Canals as described in Appendix 3 and depicted in Figure 3-5.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-2-09, Amended 3-18-10, 7-21-13, 7-16-14, _____.

40E-10.031 Water Reservations Implementation.

(1) - (5) No Change

(6) Water reserved for the protection of fish and wildlife released via operation from the EAA Reservoir is defined in subsection 40E-10.061(3)(a), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New 7-2-09, Amended 3-18-10, 7-21-13, 7-14-14, 7-16-14, _____.

40E-10.061 Water Reservation Areas: Lower East Coast Planning Area.

(1) - (2) No change.

(3) EAA Reservoir:

(a) All surface water released, via operation, from the EAA Reservoir that is directed to the Lower East Coast Everglades Waterbodies through Structures S-624, S-625, and S-626 (see Figure 3-6) is reserved from allocation. Model simulations of the EAA Reservoir together with existing and planned infrastructure, and a modified Lake Okeechobee schedule indicates the EAA Reservoir could convey 825,000 acre-feet of surface water on an average annual basis.

(b) The water reserved under this subsection will be available for fish and wildlife upon a formal determination of the Governing Board, pursuant to state and federal law, that the EAA Reservoir is operational.

(c) The reservation contained in this subsection and the criteria contained in Section 3.11.6 of the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information and prior to the approval described in paragraph (3)(b), above.

(d) Water released from the EAA Reservoir through the S-628 Structure to the Miami and/or North New River basins is not reserved and will be used to maintain EAA canal levels.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History–New _____.

Appendix 3

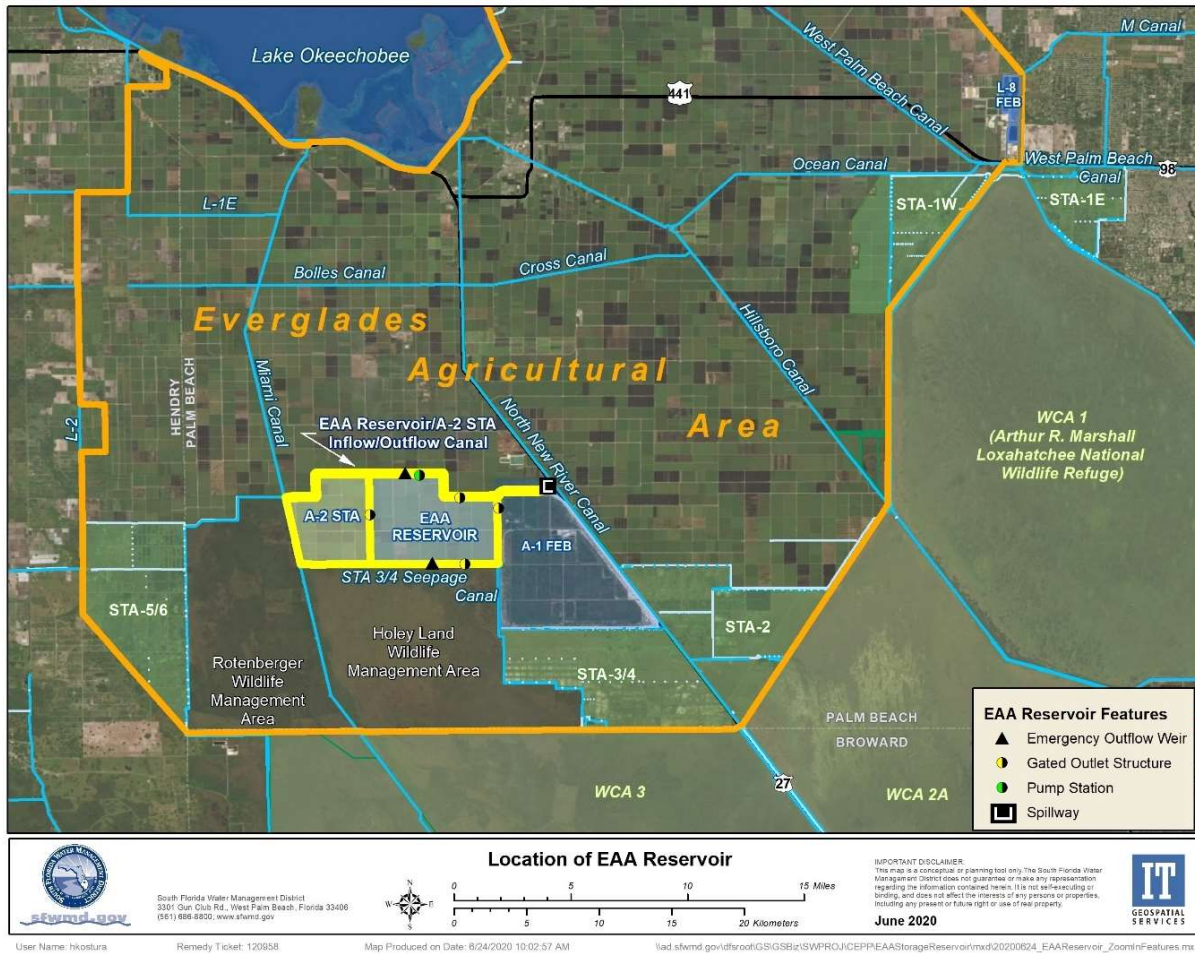


Figure 3-5. Location of the EAA Reservoir

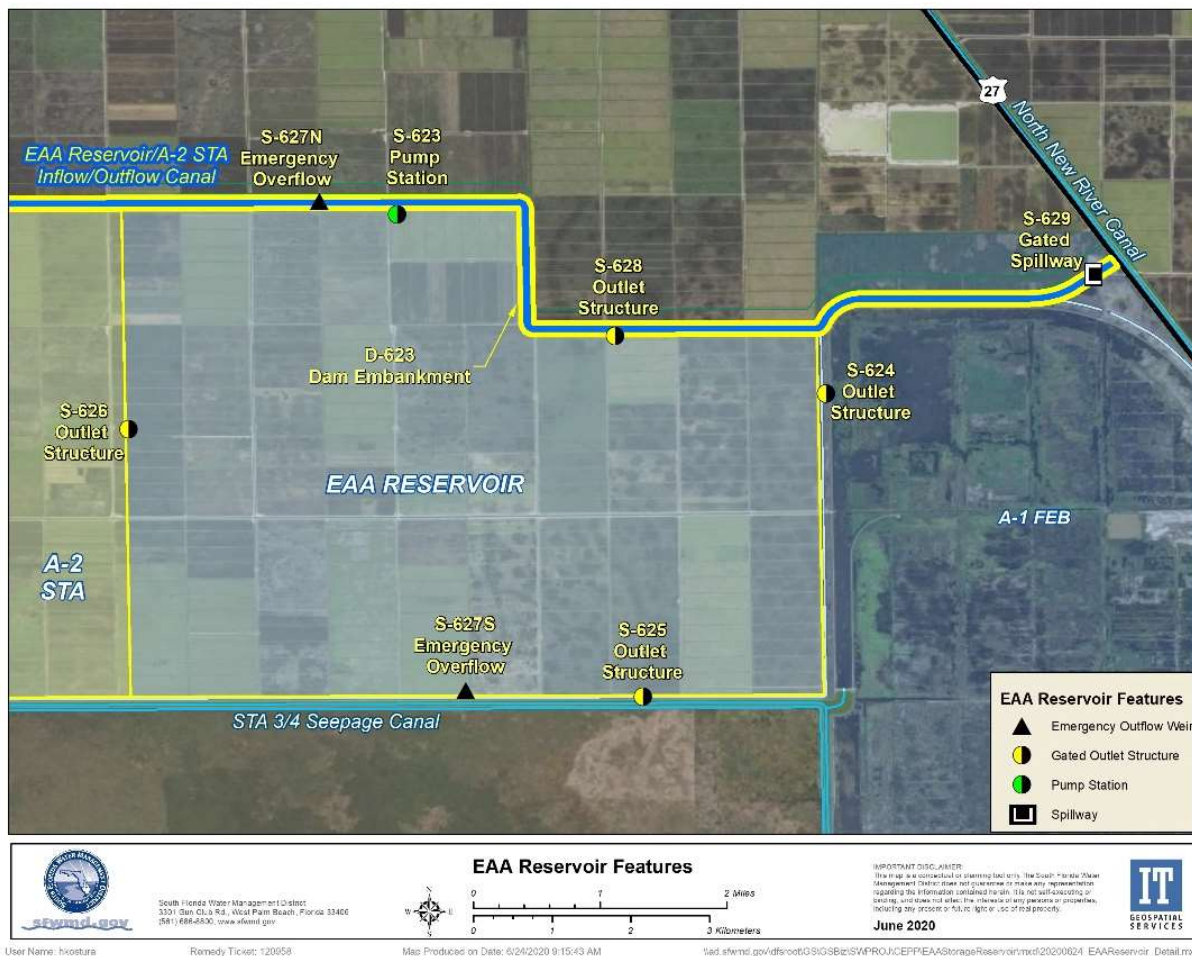


Figure 3-6. Key Features of the EAA Reservoir

Applicant's Handbook

3.11.6 EAA Reservoir

The Everglades Agricultural Area Reservoir Water Reservation, as stated in Subsection 40E-10.061(3), F.A.C., protects the Central Everglades Planning Project water needed for fish and wildlife within the Lower East Coast Everglades Waterbodies. Applications deemed complete before the conditions identified in Subsection 40E-10.061(3)(a), F.A.C., and which otherwise satisfy the requirements of Chapter 40E-2, F.A.C., as applicable, do not use water reserved under Subsection 40E-10.061(3)(a), F.A.C.